

DIVISION OF PUBLIC WELFARE
BUREAU OF ECONOMIC SECURITY
P.O. BOX 2816
AGANA, GUAM 96910

GENERAL SURGICAL AND MISCELLANEOUS SPECIALTY EXAMINATION

PHYSICIAN, HOSPITAL, OR CLINIC, The information requested concerning this patient is to be used to determine his/her eligibility for service and as a guide in providing such service if he/she is found to be eligible. All information will be held strictly confidential.

NAME OF PATIENT JACOB B. L. Cruz	SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	RACE Chamorro	DATE OF BIRTH 05 Sept 72
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ADDRESS OF PATIENT
Kala FN Hagibon Bualo No 992

INFORMATION GAINED FROM GENERAL PHYSICAL EXAMINATION INDICATES PATIENT HAS HAD THE FOLLOWING

DIFFICULTIES (Include Onset Date)
**On anamnesis, mental retardation
(3) Learning disability - functional since
childhood - not 1 & 2 not obvious by exam however
patient has had "extensive" psychological testing that supports this.**

SECTION II (TO BE FILLED OUT BY EXAMINING PHYSICIAN)

DESCRIBE FULLY: NATURE AND CONDITION OF FINDINGS, PARTS AFFECTED, NATURE AND DEGREE OF INVOLVEMENT

**see above Patient unable to stay focused and
attentive for long periods of time - falls
asleep involuntarily.**

DIAGNOSIS AND CAUSE OF DISABILITY

- 1. narcolepsy**
- 2. Mental retardation / borderline intellectual
functioning**
- 3. Learning disability**

COMPLICATIONS

no physical complications

CHARACTERISTICS OF DISABILITY (CHECK ONE)

☒ Stable ☐ Progressive ☐ Improving ☐ Recurrent ☒ Permanent ☐ Infectious

EXHIBIT
A-E

**DEPARTMENT OF INTEGRATED SERVICES
FOR INDIVIDUALS WITH DISABILITIES (DISID)**

“Individualized Budgeting Program”

A Sustainability-Funded Project under the Compact Impact Funds

U.S. Department of Interior

As presented and authorized by Governor Felix P. Camacho

INTERIM RULES & REGULATIONS

TITLE:

DISID Individualized Budgeting Program.

PURPOSE:

To implement the Individualized Budgeting Program within the Department of Integrated Services for Individuals with Disabilities for DISID consumers currently served by the DISID Division of Support Services, DISID Service Providers – Catholic Social Service (CSS) and Guma Mami, Inc. (GMI), and the Department of Mental Health and Substance Abuse (DMHSA). The Individualized Budgeting Program provides financial allowance to eligible individuals with disabilities who are in need of personal care services or home and community-based services. Participants use this allowance to purchase their own care instead of receiving it from an agency or contracted provider. The individual is given the choice and supports independently from typical programs offered through the government.

Background

The Individualized Budgeting Program was introduced to the Island of Guam and carried out by the Department of Integrated Services for Individuals with Disabilities (DISID) during the “Inadanna para Tinilaika – Partners for Change” Grant during the Pilot Project duration of January 1 to September 27, 2005.

Premises

The Department of Integrated Services for Individuals with Disabilities (DISID) hereby engages in the continuation of the “Individualized Budgeting Program” through funding from the *U.S. Department of Interior Compact Impact Funds* as submitted via the Bureau of Budget and Management Research and subsequently approved by the Honorable Felix P. Camacho, Governor of Guam in January, 2006.

POLICY:

It is the policy of the Department of Integrated Services for Individuals with Disabilities (DISID) to continue, and thus formalize, the “Individualized Budgeting Program,” after its successful implementation as a Pilot Project on September 27, 2005, under the “*Inadanna para Tinilaika – Partners for Change*” Grant, Centers for Medicare and Medicaid Services, U.S. Department of Health and Human Services (HHS).

It is the intention of the Director of DISID to continue to seek sustainable funding sources, both through grants from the U.S. Federal Government, and as an integral part of the Annual Fiscal

Year Budget Appropriation for the Department of Integrated Services for Individuals with Disabilities.

Guiding Principles *(extracted from the "Inadanna para Tinilaika - Partners for Change" Grant)*

The Individualized Budget process will ensure that persons with disabilities are respected with dignity and receive equal treatment; persons with disabilities will be given the opportunity to make choices and selections with the necessary support; the input of persons with disabilities is significant and important; and the Department of Integrated Services for Individuals with Disabilities considers the need for quality services.

Project Director

The Director of the Department of Integrated Services for Individuals with Disabilities is the Project Director.

Project Period

For the Program Year commencing February 1, 2006 to March 31, 2007.

Amount of Funds Available

\$250,000 is authorized by the DISID Director as per the approval of the Director of Budget and Management Research (BBMR) as stated within the grant application.

Rules and Regulations

The Operations Manual utilized during the Individualized Budgeting Pilot Project, for the period of January 1 to September 30, 2005, and was duly reported under the "Impact Study" conducted by the University of Guam's Center for Excellence in Developmental Disabilities Education, Research and Service (CEDDERS), documented in a DVD training and orientation video, and the Official Final Reports to the Centers for Medicare and Medicaid (CMS), U.S. Department of Health and Human Services (HHS) continue to be the Operational Rules and Regulations pending transmittal for consideration and acceptance by the "Bente Ocho Na Lehisleturan Guahan" and the Governor of Guam.

PROCEDURES:

Definitions:

DISID is the Department of Integrated Services for Individuals with Disabilities.

"Individualized Budgeting Program" or IBP is that program, within the Department of Integrated Services for Individuals with Disabilities.

Consumer means an individual with a disability who has been deemed eligible for services and programs with the Department of Integrated Services for Individuals with Disabilities.

Consumer-driven is the primary goal of the Individualized Budgeting Program.

Social Worker/Case Worker is that designated DISID staff assigned to the individual consumers.

FUNDING AUTHORIZATION

First Year Funding

The "Iniadanna para Tinilaika – Partners for Change" Grant provided \$50,000 for ten participating consumers with funds from the Centers for Medicare and Medicaid Services, U.S. Department of Health and Human Services.

Second Year Funding

This year, funding was made available through the approval of the Governor of Guam via a submission by DISID to the Bureau of Budget and Management Research for funds under the Compact Impact under the U.S. Department of Interior.

PROCUREMENT PROCESS

Department of Administration General Services Agency (GSA)

Authorized under Purchase Order No. PO66A05560, dated May 24, 2006. The captioned states "This Purchase Order is issued to cover the cost for reimbursement to Catholic Social Service for disbursement made to clients who are in need of personal care services or home and community-based services on an as needed basis."

Fiscal Intermediary

The Catholic Social Service (CSS) is the designated "Fiscal Intermediary" of Fiscal Agent for the Individualized Budgeting Program. The CSS Controller is the authorized official to disburse all funds via a trusteeship checking account. All checks shall be made directly to the vendors or service providers as approved under the respective approved Individualized Service Plan and Individualized Budget of each participating consumer.

Individualized Budget for Each Consumer

The social worker/case worker shall meet with the consumer and their family supports in order to develop an "Individualized Budget" for submission to the DISID Director. Allowable costs includes: Medical – medications, physical and other therapy, medical insurance, assistance in filling out medical forms, picking up prescriptions, medication information and help in range of movement; Care Giving – household maintenance, personal care attendance to provide transportation, to assist in shopping, completing forms, cleaning homes, bathing and dressing, laundry, cooking meals and assisting with feeding, baking, assist in exercising, assist in the bathroom, advocacy and letter writing, transferring; Recreation and Leisure – someone to play games with, pay for movies, go to restaurants, bowling, concerts, sports activities, learn how to play a musical instrument, traveling; Transportation – to pay for bus fare and monthly bus passes, taxi, help pay for a car, gas allowance, car repairs, advocacy and assistance in writing letters regarding transportation; Financial – assistance with the rent, utility coverage, shopping allowance, assistance with education, food allowance, clothing, services to address spiritual needs, business start-up; Additional Needs – to hire a social worker, assist with a business, advocacy with vocational rehabilitation, to find a job, dressing/undressing, bathing, grooming, hair and skin care, bowel and bladder elimination, medications, adaptive device, eating, meal preparation, housekeeping and laundry, shopping and errands, and transportation; and Other

Miscellaneous – purchase home furnishing, adult undergarments, other types of service providers, specialized equipment, TDD, animal support, home repair, assistance at work, and other needs if necessary. The individual can purchase the supports they need just as long as it is not a duplication in service.

DISID Director's Approval

The IBP Application, the Individualized Service Plan and the Individualized Budget shall be submitted to and discussed with the DISID Director for approval.

Service Coordinator

Upon the DISID Director's approval, the Service Coordinator shall work with the social worker/case worker to fill in and process a voucher for each vendor for products and/or services as approved under the Individualized Budget. Upon signatures of the consumer, the social worker/case worker, and the DISID Director, the vouchers shall be transmitted to the Fiscal Intermediary for processing of the checks.

URGENT RESPONSE SYSTEM

Urgent Response System

The Catholic Social Service has been contracted to serve in the role of the DISID Individualized Budgeting Urgent Response System. The primary duties are as follows: to help make emergency telephone calls, finding transportation for a medical emergency, assisting the consumer recognize medications and its side effects, assistance with medication, finding emergency personal care assistance, and providing telephone supportive counseling.

CONSUMER PARTICIPATION

Eligibility

A. Individuals with a Disability

All DISID consumers (individuals with disabilities) are eligible and may enroll at the DISID Division of Support Services or within the contracted programs implemented by DISID service providers in which they are a current participant in - the Catholic Social Service (CSS) and Guma Mami, Inc. as well as "at risk" consumers served by the Department of Mental Health and Substance Abuse (DMHSA).

B. Program Announcement

The public announcements of the commencement of the Individualized Budgeting Program for the second year was made on numerous occasions at consumer meetings and forums, GDDC meetings, and via advertisement in the Pacific Daily News on April 5, 2006.

C. Application Process

The Applications for the Individualized Budgeting Program for the second year were made available from January 1 to May 19, 2006, with an extension to July 30, 2006.

Priority Criteria Processing

A. To commence upon Director's determination that the GSA Procurement, Department of Administration Division of Accounting, and the Fiscal Intermediary has been implemented, processed and in place.

B. The following are the primary criteria for prioritizing the applicant consumers in the Individualized Budgeting Program: (1) Homeless and severely Disabled (Safe Haven Consumers), (2) At risk of being homeless and severely disabled, such as those with aging parents, no family supports, or those under the Guam Public Guardian, (3) Referred by DISID Service Providers (Catholic Social Service and Guma Mami, Inc.) that meet the above two criteria, (4) Referred by DISID Division of Support Services and/or Department of Mental Health and Substance Abuse, (5) Allow for five consumers who have had strokes, and (6) Allow for five consumers with diabetes and are on renal dialysis.

EVALUATION AND REPORTS

Monthly Reports

The Fiscal Intermediary shall submit monthly reports of all funds expended to the DISID Director.

Evaluation

The DISID Program of Evaluation, Enforcement and Compliance (DEEC) shall engage in an on-going evaluation of the Individualized Budgeting Program and shall carry out a closing evaluation at the close of the Program Year. The DISID Director shall also engage the services of the UOG Center for Excellence in Developmental Disabilities Education, Research and Service (CEDDERS).

Final Report

The Official Final Report of the Individualized Budgeting Program shall be submitted to the Governor of Guam, the Speaker of the "Lehislaturan Guahan", and to the U.S. Department of Interior.

Approved: ROSANNE S. ADA, DISID Director
Date: Commenced compilation August 1, 2006

*Exhibit B
 Please to
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 Allwale
 Speed*

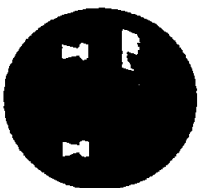
For more information
 contact the

**Department of Integrated
 Services for Individuals
 with Disabilities
 (DISID)**

**7th Floor
 Pacific Daily News Bldg.
 Hagåtña**

**Phone Numbers:
 475-4646
 475-4647**

Email: disid@ite.net



GUAM

 1999

This brochure was developed through a Memorandum of Agreement between the Department of Integrated Services for Individuals with Disabilities and the University of Guam, Center for Excellence in Developmental Disabilities Education, Research, and Service (Guam CEDDER-S). Federal funds were provided through Community Integrated Personal Assistance Services and Support (CIPASS) grant from the U.S. Department of Health and Human Services, Center for Medicare and Medicaid Services (CMS), Insularis Para Iriharia, Partners for Change. 2001-2005.

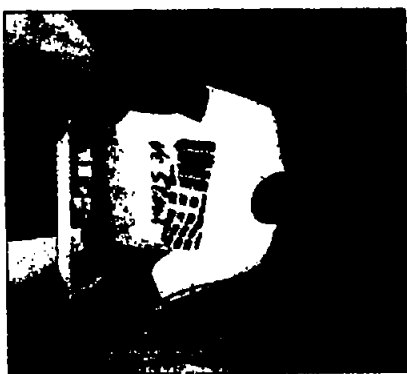
**Department of
 Integrated Services for
 Individuals with Disabilities**

Guam Individualized Budgeting Program



**Opening Doors
 for
 Independence**

"The purpose of public funding must move to a more noble goal of assisting individuals achieve lives of high purpose deeply embedded in their communities, engaged in meaningful relationships and pursuing both economic and spiritual goals."—Tom Nerney, Maryland Developmental Disabilities.



"The grant has helped my brother...change his image and to (see that he is) able to be someone"



"My quality of life has changed because I am not depending on others any more. I can make plans on my own."



"My mind is now at ease. I don't have worries..."



"Now I have ideas of becoming self-employed."

Guam Individualized Budgeting Program

Individualized Budgeting

- Established for individuals with disabilities
- Determines an amount of individual funding support based on need
- Individual determines their needs
- Individual directs and manages the delivery of services needed.

Individualized Budgeting was first offered on Guam through a federally funded pilot project from the U.S. Department of Health and Human Services, Real Choices Grant. Due to the success of the pilot project, locally appropriated funds have been made available to offer this project island-wide to those who qualify.

Benefits Received Through the Program

By joining the Guam Individualized Budgeting Program, participants will receive financial support through the Department of Integrated Services for Individuals with Disabilities (DISID).

- Support to improve daily life activities
 - ♦ Assistive devices
 - ♦ Home living
 - ♦ Medical supplies
 - ♦ Personal assistant services
 - ♦ Personal care/grooming
 - ♦ Transportation, and
 - ♦ Other needs
- Budgets are spent through a fiscal intermediary
- Funds are accessed through vouchers and direct payments
- Quick response time in receiving support

**Pilot Project:
Where \$\$ was Spent**

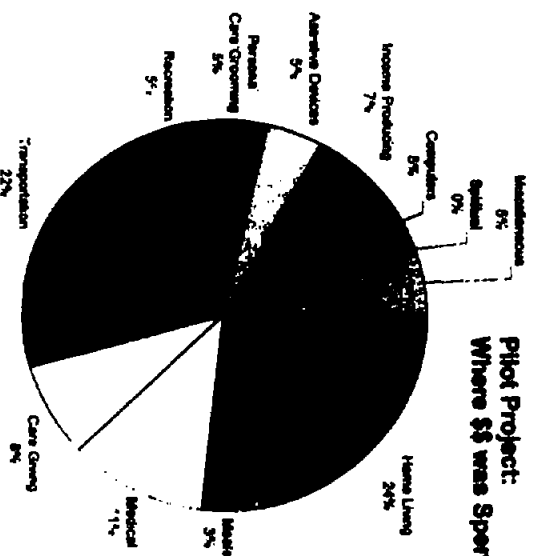
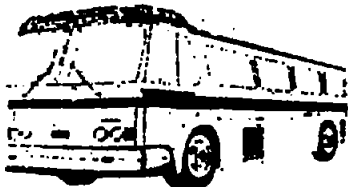


EXHIBIT B

Allowable Costs



MEDICAL:

Medications
Physical Therapy and other therapy
Medical Insurance
Assistance in filling out medical forms
A person to assist getting your prescription
Medical information
Range of Movement



CARE GIVING:

- Household Maintenance
- Personal care attendants to provide transportation
- To Assist with shopping
- Completing forms
- Cleaning homes
- Bathing & Dressing
- Laundry
- Cooking meals & assisting with feeding, baking
- Assist in exercising
- Assist in the bathroom
- Advocacy and Letter Writing
- Transferring

RECREATION AND LEISURE:

- Someone to play games with
- Pay for movies
- Go to the restaurants
- Bowling
- Concerts
- Sports Activities: volleyball, basketball, and baseball, or other sports
- Learn how to play instruments
- Traveling

TRANSPORTATION:

- To pay for bus transfer coverage
- Taxi
- Help pay for the car
- Gas Allowance
- Car Repairs
- Advocacy and assistance in writing letters regarding transportation

OTHER MISCELLANEOUS:

- Purchase furnishings
- Adult undergarments, etc.
- Other Service Providers contracted
- Specialized Equipment (i.e. TDD, bathroom, etc).
- Animal support
- Adaptive equipment
- Home Repair (i.e. plumbing & painting)
- Assistance at work
- Other additional needs

Financial Assistance/Stipend

- Assistance with Rent
- Utility Coverage
- Shopping Allowance (i.e. clothing)
- Food Allowance
- Assistance with Education
- Services to address spiritual needs
- Business Development



ADDITIONAL NEEDS

- To hire Social Worker
- Assist with set up costs with Business
- Advocacy with Vocational Rehabilitation
- A.H.R.D
- Education
- Dressing/Undressing
- Bathing
- Grooming
- Hair and Skin Care
- Bowel and bladder elimination
- Medication
- Adaptive device
- Eating
- Meal preparation
- Housekeeping & laundry
- Shopping/Errands
- Transportation

Program Funding Proposal - Draft

Program/Service	Program Description	Amount
Individualized Budget Program	<p>A continued program from the pilot Inadanna para Tiniakka "Partner for Change" program that provide an Individualized Budget mechanism that establishes an amount of funding available for an individual with disabilities to direct and manage the delivery of services he/she requires and is authorized to receive. This model ensures that the persons with disabilities exercises choice and control over their living environment, the service they receive, the manner by which services are provided, and integrated into the community. Increases and promotes collaborative partnerships to develop and enhance Guam's service delivery for persons with disabilities through creative cost effective systems</p>	\$90,000.00
Safe Haven Program	<p>In 1992, amendments to the Stewart B. McKinney Homeless Assistance Act included a provision for the creation of Safe Havens. According to the Title IV, Subtitle D of the McKinney Act, A Safe Haven is a form of supportive housing that serves hard-to-reach homeless persons with severe disabilities who are on the street and have been unable or unwilling to participate in supportive services. Safe Havens encourage residents to go beyond just finding shelter, but by creating a housing environment that is safe, sanitary, flexible, and stable and which places no treatment participation demands on residents, but has high expectations for residents. These expectations include that the resident will transition from unsafe and unstable street life to a permanent housing situation and that re-engagement with treatment services will occur</p>	\$150,000.00

Exhibit C

Program Funding Proposal - Draft

Program/Service	Program Description	Amount
Community Resource Center (Support ADRG Grant)	A facility or common area monitored/managed by the Department of Integrated Services for Individuals with Disabilities-Division of Support Services that will house the grant requirements as established by the Center of Medicaid/Medicare and the Agency of Aging, also known as the ADRG Grant. Inclusive, additional site requirements as identified by the grant will be coordinated with the Mayor's of specified villages to utilize Senior Citizens and Community Centers to house computers for consumers to seek services and/or programs	\$200,000.00
Guam Rehabilitation Workshop Center	A facility that would provide for a designated area to service the Department of Integrated Services for Individuals with Disabilities, and Workshop Center, Inc., Faith Based Organizations, and other community entities that provide programs/services for individuals with Disabilities.	\$300,000.00
Total		\$740,000.00

Exhibit



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Office: The Speaker
ANTONIO R. UNPINGCO
Date: 3/27/97
Time: 10am
Rec'd by: [Signature]
Print Name: [Signature]

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By: [Signature]
Time: 3:30 pm
Date: 3/27/97

MAR 26 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Refer to
Legislative Secretary

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 18 (COR), "AN ACT TO REPEAL AND REENACT CHAPTER 41 OF TITLE 17, GUAM CODE ANNOTATED; TO REPEAL P.L. 20-213; TO AMEND §50111(c) OF TITLE 5, GUAM CODE ANNOTATED; TO AMEND §§3401.1(e) AND (h) OF TITLE 16, GUAM CODE ANNOTATED", which I have signed into law today as **Public Law No. 24-16**.

I am very pleased to sign this landmark legislation which will finally create the framework for an umbrella of assistance to shield and assist members of our disabled community. While similar in intent to the 23rd Legislature's Bill 735, this legislation corrects fatal flaws included in the earlier bill which forced me to veto it. Those flaws would have cut off federal funds, and instead of helping our disabled citizens, it would have hurt them.

This legislation repeals the Department of Vocational Rehabilitation statute and creates a new Department of Integrated Services for Individuals with Disabilities (DISID) effective October 1, 1997. Two divisions and two supporting councils are created within DISID: the Division of Vocational Rehabilitation (DVR) and Rehabilitation Advisory Council, and the Division of Support Services for Individuals with Disabilities (DSSID) and the Division of Support Services for Individuals with Disabilities Council (DSSIDC). By coordination of the providing and implementing of services for persons with disabilities, DISID will eliminate the fragmentation and confusion that presently exists.


Although this legislation will provide many benefits, I urge the Legislature to address the following concerns to ensure that our disadvantaged citizens receive the fullest measure of assistance and services the law can provide:

Following completion of the transition process, Section 7, page 47, lines 20-22, directs the DSSIDC members to begin duties and powers as outlined in §41311 of this legislation. Unfortunately, §41311 does not exist. This reference should be corrected to read "§41310," which is the proper subsection and contains a listing of the powers of DSSIDC.

There is a need to amend §41302 (d) on page 35, to identify the specific roles to be played by DISID and the Department of Mental Health and Substance Abuse regarding individuals with mental illness. Such an amendment would insure that efforts and expenditures are not duplicated.

Because of their employment-related functions, the Department of Labor should be included on the RAC as an ex-officio member because of the critical role they play in the employment-related functions.

Very truly yours,



Carl T. C. Gutierrez
Governor of Guam

Attachment

00133

Bills Signed into Law

Public Law 24 - 16

TWENTY-FOURTH GUAM LEGISLATURE 1997

(FIRST) Regular Session

Bill No. 18 (COR)

As substituted by the Committee on Rules, Government Reform & Federal Affairs, and further substituted on the floor.

Introduced by:

L. Leon Guerrero

J. WonPat-Borja

V. C. Pangelinan

A. R. Unpingco

Mark Forbes

T. C. Ada

A C. Blaz

F. B. Aguon, Jr.

E. Barrett-Anderson

J. M.S. Brown

Francisco P. Camacho

M. C. Charfauros

E. J. Cruz

W. B.S.M. Flores

L. F. Kasperbauer

A. C. Lamorena, V

C. M. Leon Guerrero

J. C. Salas

A. L.G. Santos

F. E. Santos

AN ACT TO REPEAL AND REENACT CHAPTER 41 OF TITLE 17, GUAM CODE ANNOTATED; TO REPEAL P.L. 20-213; TO AMEND §50111(c) OF TITLE 5, GUAM CODE ANNOTATED; TO AMEND §§3401.1(e) AND (h) OF TITLE 16, GUAM CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Legislative Intent. The Guam Legislature finds that there are agencies and organizations on Guam, both private and public, that have the responsibility with providing, planning, supporting employment services and implementing a wide spectrum of services for persons with disabilities. But, because of the fragmentation and lack of coordination of these services, it becomes difficult for these agencies, organizations, friends and families of persons with disabilities to utilize them to its fullest potential. The problems are compounded with the fact that there is no department directly responsible to address the overall issues of persons with disabilities.

The Guam Legislature further finds that on a national average, ten percent (10%) of the population is disabled. Although some data is collected, there is no central data system to accurately determine the number of persons with disabilities on Guam. However, the increased need for services for persons with disabilities is reflected by the long waiting lists accumulated by various agencies and organizations.

Furthermore, the Guam Legislature supports the enhancement of children's services. Children, regardless of the severity of their disability, need families and endearing relationships with adults in a nurturing home environment. Children with disabilities benefit by growing up in their own families; families benefit from staying together; and the community can benefit from the diversity that is provided when people with varying abilities are included.

The Guam Legislature realizes that there is lack of adequate and coordinated services for persons with disabilities, especially over the age of twenty-one (21). These services could include day activities and expanded respite care to assist families with relief and minimize the stress associated with caring for a person with a disability.

The Guam Legislature believes that our community could better advocate for persons with disabilities by improving existing services and establishing for new services. It is the right of every individual on Guam, especially a person with a disability, to demand equality and be recognized as a contributing participant in the Territory of Guam. There is a lack of awareness of the real needs of a person with a disability, and it is our responsibility as a community to educate ourselves and others to make the difference.

The Guam Legislature fully supports family preservation and any initiatives that would reduce off-island treatment of a person with disabilities to a minimum in an effort to bring families together. Presently, children and adolescents with serious emotional disorders are sent to off-island facilities away from their families because of the inadequate lack of services available to them on Guam. These same individuals usually have special and multiple needs because of mental retardation or other organic/physical disabilities. These "dual-diagnosed children and adolescents" are part of the target population that can benefit from an agency with clear mandates of responsibility to develop gaps in services for those with disabilities. Clearly, there is a need to develop a range of services to support the comprehensive needs of children with all disabilities (these same children grow up to be our adults with disabilities) so as to support treatment on Guam and/or facilitate their return back to Guam in the shortest time possible. The Guam Legislature recognizes the need for effective family support services that are designed and provided with respect and responsiveness to the unique needs, strengths and cultural values of each family, and the family's expertise regarding its own needs.

Therefore, it is the intent of the Guam Legislature to improve services for persons with disabilities by creating and establishing a designated agency as a single point of entry to provide, promote and ensure a full continuum of lifelong programs and services that allow for independence, productivity and inclusion into the community. As created, this agency shall build partnerships with the local and federal government and recognize the efforts of all organizations and agencies associated with providing quality services to persons with disabilities.

Section 2. Chapter 41 of Title 17 Guam Code Annotated, is hereby repealed and reenacted as follows:

"Chapter 41

Article 1

§41101. Department. There is within the government of Guam an entity entitled "The Department of Integrated Services for Individuals with Disabilities (DISID)," which shall serve as a public service to coordinate and provide vocational rehabilitation and comprehensive community services for eligible individuals with disabilities.

§41102. Definitions. For the purposes of this Chapter:

(a) **Department** means "The Department of Integrated Services for Individuals with Disabilities ("DISID")."

(b) **Director** means the Director of "The Department of Integrated Services for Individuals with Disabilities ("DISID")." The Director will be appointed by the Governor and confirmed by the Guam Legislature.

§41103. Duties of DISID.

(a) The DISID can accept grants, gifts, contributions and appropriations.

(b) The DISID shall conduct and provide for staff development, public education, and community awareness activities on the problems, needs, potentials, and rights of the individuals with disabilities through affirmative public education programs, including conferences, workshops and forums.

(c) The DISID shall serve as a central clearing house for public and private activities, which address the needs of persons with disabilities in Guam, review grant applications as related to the Division of Support Services for Individuals with Disabilities, proposed state plans and program descriptions in matters affecting persons with disabilities prior to submittal for the Governor's approval, and serve as a repository and disseminator of program information relating to persons with disabilities.

(d) The DISID shall review, assess and make recommendations addressing problems and needs and the availability of adequate services and resources for persons with disabilities in Guam through research and studies with regard to but not limited to employment, education, health, social services, recreation, civil rights, public facilities, housing, vocational training and rehabilitation, transportation and other matters pertinent to the well-being and independence of persons with disabilities, and to publicize the results thereof.

(e) The DISID shall compile and maintain a data base on the incidence of disabling conditions and number of persons with disabilities in Guam, and on resources allocated to address the needs of persons with disabilities.

(f) The DISID shall develop short and long-term plans to meet the needs of individuals with disabilities through facilitating the coordination of services and programs in collaboration with other organizations and/or agencies, whether they are community, public and/or private.

(g) The DISID shall be the state agency to supervise and administer the vocational rehabilitation services authorized by this Chapter under the state plan formulated in conformance with the Federal Vocational Rehabilitation Act, as amended, except for that part, as may be administered by a local agency of a political subdivision in the State, and DISID shall be the agency to supervise the local agency in the administration of that part.

(h) The DISID shall submit a detailed report on its activities and responsibilities to the Governor and the Speaker of the Guam Legislature on January 1 of each year, and for the previous fiscal year, and publish its availability for review to the public.

(i) The DISID shall implement Quality Assurance Programs to assure compliance of all public and private entities consistent with applicable local and federal statutes pertaining to individuals with disabilities.

(j) The DISID shall be designated as the state agency to administer the state plan for vocational rehabilitation services and services for adults who are blind.

(k) The DISID shall implement, consistent with applicable local and federal statutes, a fair, timely and impartial grievance procedure to provide administrative due process and recourse for individuals aggrieved by any action or failure to act on the part of the department under this Act.

(l) Design and implement an information and referral system for easy accessibility for individuals with disabilities and others who may benefit from services of DISID and availability of other services.

§41104. Staff. The DISID shall hire staff to assist in the performance of its duties in compliance with Title 4, Guam Code Annotated, and personnel rules and regulations.

§41105. Other Programs/Services. DISID will review annually the needs for new systems, or improvement of existing systems. DISID shall create and advocate for the expansion of programs and services and other systems as required to implement the services necessary for persons with disabilities.

*Rec'd
Oct 06.06.
1600h
[Signature]*

**DEPARTMENT OF INTEGRATED SERVICES
FOR INDIVIDUALS WITH DISABILITIES (DISID)**

Pacific News Building, Suite 702, 238 AFC Flores Street, Hagatna, Guam 96910
Tel: (671) 475-4668/46 Fax: (671) 477-2892

September 29, 2006

Mr. Jacob Cruz
165 South Gabgab Court
Dededo, Guam 96929

Dear Jacob:

The Department of Integrated Services for Individuals with Disabilities (DISID), through its Division of Vocational Rehabilitation (DVR), is currently providing service to you via an Individualized Plan for Employment (IPE).

The IPE involves enrollment at Guam Community College (GCC). It also allows for your utilization of a computer and Internet service.

I have been informed that you are still without the Internet service. I have directed the DVR Administrator to provide this service and to report to me by Monday, October 2, 2006 as to the status of your IPE.

Further, it is my understanding that you have requested a Fair Hearing relative to your interest in the Individualized Budgeting Program. You claimed that the Deputy Director, Gregorio Calvo, promised you funding for housing and transportation. Mr. Calvo reported to me that he participated in the development of your IPE and that DVR was to ascertain the validity and viability of this category.

The Individualized Budgeting Program (IBP) is a new program, funded this year under the U.S. Department of Interior through the Compact Impact Funds made available to DISID by the Honorable Governor Felix P. Camacho. This program was processed for DOA financial administration through a Fiscal Intermediary (Catholic Social Service) just recently. The respective social workers and the IBP Service Coordinator have commenced the processing of individual applications. We will notify you of the status of your application shortly.

Thank you for your kind cooperation in understanding the rules and procedures inherent in the implementation of programs and services by any instrumentality of the government. We are in receipt of the Consumer Assistance Program advocacy organization relative to your above request. Should you need further details or clarification, please call me at 476-4646/68.

Sincerely,

Rosanne S. Ada
ROSANNE S. ADA
DISID Director

Si
See me

**DEPARTMENT OF INTEGRATED SERVICES
FOR INDIVIDUALS WITH DISABILITIES (DISID)**
Pacific News Building, Suite 702, 238 AFC Flores Street, Hagatna, Guam 96910
Tel: (671) 475-4668/4646 Fax: (671) 477-2892

September 22, 2006

MEMORANDUM

TO: Administrator, DISID Division of Vocational Rehabilitation

FROM: Deputy Director

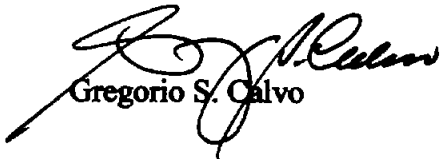
SUBJECT: Scheduling of Fair Hearing as per consumer request

As per the attached request from consumer J. Cruz, please schedule a Fair Hearing for the Division of Vocational Rehabilitation to facilitate his concerns. While it is apparent that he is directing his concerns to me, it is just as evident that the Division of Vocational Rehabilitation has failed in meeting certain provisions of his Individualized Plan for Employment.

Furthermore, I am deeply grieved over the tension and anxiety experienced by this consumer resulting from his purported injustices, whether true or perceived, over his interaction with the Division of Vocational Rehabilitation at the present time and over the past several years.

Therefore, I am respectfully requesting that you schedule a Fair Hearing on this matter as the soonest, especially since he is alleging that his studies at the Guam Community College are being hindered by the failure of DVR in completing the IPE.

I stand by to participate in this Hearing.


Gregorio S. Calvo

cc: DISID Director Rosanne S. Ada
Edmund Cruz, CAP

Albert San Agustin

From: <disid@ite.net>
To: <zeni_natividad@yahoo.com>; "Gregorio Calvo" <gregcalvo@yahoo.com>
Sent: Wednesday, September 20, 2006 8:17 AM
Subject: Fwd: Final Notice(BREACH OF CONTRACT) DISID/DVR

Greg,
 Please enter this in the ADRC intake. Followup with Compliance program and DVR for resolution.
 Mrs. Ada

Zeni,
 Please review and followup with DVR.
 Mrs. Ada

-----Included Message-----

>Date: 18-Sep-2006 08:56:01 +1000
 >From: "jake cruz" <jcruzgcc2006@yahoo.com>
 >To: <gregcalvo@yahoo.com>
 >Cc: <disid@ite.net>
 >Subject: Final Notice(BREACH OF CONTRACT) DISID/DVR

>
 >Jacob Cruz
 > E-Mail: jcruzgcc2006@yahoo.com
 >
 > Final Notice*Final Notice *Final Notice* Final Notice* Final Notice

> 18th, September 2006

>
 > TO: Gregorio Salas Calvo
 > Deputy Director
 > Department of Integrated Services for Individuals with Disabilities

>
 >
 > Subject: Services from DISID.

>
 > Hafa Adai Mr. Calvo,
 >

> I am writing in response to your letter addressed to Mr. Albert San Agustin Dated Monday September 11, 2006. at the same time I would like to Inform You That Because The Action That Was Taken By You On Friday September 15, 2006 I am giving you and DVR Exactly 24 Hours To Come Up With The Below Item's As Mentioned In My IPE. If You Chose Not To Respond to My E-Mail Then you Will have to Discuss Why In Front OF A JUDGE. I HAVE WAITED FOR Nearly 3 ½ years for Services. However Only (One Third) Of The Services Has Been Delivered Thus Far. You have Proven To Me That DISID/DVR WILL NOT ENTERTAIN CLIENTS WHOM ARE

LESS FORTUNATE, BUT RATHER IF YOU HAVE MONEY IN YOUR POCKET BOOK YOU WILL ENTERTAIN THEM. Let ME Just Mind You That Is This Considered "White Collar Crime." And this is Illegal. So Get To Work And PROVIDE ME AN UPDATE BY 0800.a.m. Tuesday September 19, 2006.

> • Housing To Include all Basic Utilities (TELEPHONE, POWER, WATER.) \$ 900.00 Plus \$ 200.00 For Utilities.

This is The 1st Month Plus Security Deposit Monthly Rental Is \$450.00 and Is Due By The 1st of The Month Or Else A \$50.00 Late Fee Will Be Assesed.

> • LAPTOP FROM (DIMENSION SYSTEMS) \$2,400

> • All In One Printer (Sanford Technologies) \$163.00 *

Prices May Have Gone Up..

> • Marianas Broadband (INTERNET SERVICE) \$143.70 This Includes Basic Installation Charge Plus First Month of \$93.70 *

Prices May Have GONE Up..

> • I Connect Cell Phone Plus Radio \$525.00-PHONE, \$40.00-Sim Card, -\$158.88-Monthly Service .

> • Maintenance Fee Of \$450.00 To Include (August, September, & October). \$ 150.00 Thereafter Due 1st Of The Month. Check Should be made Out To: Jacob Cruz. And I Will Pick It Up From DVR EVERY 1st of The Month. However This Month U Need To Process Check As Soon As Possible In The Amount of \$450.00. The \$ 150.00 Will Commence In November 2006.

> If I Do Not Receive an E-Mail From You By 0800.a.m. Tuesday September 19, 2006 I Will Take You To Court FOR "BREACH Of Contract."

> The Choice is Up To you..

>

>

> Your E-Mail & Kind and Expidious Response is Highly Appreciated.

>

>

> Saina Ma'ase

> Si: Jacob Cruz

> Jacob Cruz

> DISID & DVR CLIENT

>

> Cc: Rosanne S. Ada (DISID DIRECTOR)

> Edmund Cruz (CAP GUAM DIRECTOR/ADVOCATE)

> Albert T. San Agustin DVR ADMINASTRATOR

>



>

>-----

> Want to be your own boss? Learn how on Yahoo! Small Business.

>

-----End of Included Message-----

From: "Ginger Porter" <gporter@ite.net>  Add to Address Book  Add Mobile Alert

To: "jake cruz" <jcruzgcc2006@yahoo.com>

CC: "Brenda Leon Guerrero" <blg@ite.net>

Subject: Re: Individualized Budgeting Program That Was Awarded To The Department Of Integrated Services For Individuals With Disabilities.

Date: Thu, 12 Oct 2006 12:46:16 +1000



If you check the working documents (Inadanna para Tinilaika, Individualized Budgeting Pilot Project Handbook, pages 49 and 50) for the six month pilot, it lists the Pilot Project Criteria

- Must be eligible to receive DISID services and supports
- Must reside on Guam

Additional criteria

- Individual has a clear interest in self determination
- Possesses the willingness and energy needed to succeed in pioneering
- Persistent and patient about securing the right services and supports from multiple sources
- Positive and vocal advocate
- Flexible and resourceful
- Understands that more freedom and responsibility is accompanied by more personal accountability
- Severity of disability
- Low income
- Areas of need
- How the person can impact the pilot project
- No family support

Ginger S. Porter, M.Ed.

From: "Ginger Porter" <gporter@ite.net>  Add to Address Book  Add Mobile Alert

To: "jake cruz" <jcruzgcc2006@yahoo.com>

Subject: Re: Individualized Budgeting Program That Was Awarded To The Department Of Integrated Services For Individuals With Disabilities.

Date: Thu, 12 Oct 2006 12:38:07 +1000

Individuals applied to the consumer controlled Advisory Committee. One important factor in the review was consideration for willingness to share their stories and participate in follow up and follow along activities. This is likely to be less important for the next round. The other factor that was considered, since the original grant was a Real Choice Grant focusing on individualized budgeting and personal assistant services, was the need to ensure that some selectees would be testing out the structure for providing and managing personal assistant services.

I did not participate in or observe the final considerations with the Advisory Council, since I had assisted one individual in preparing an application. Mrs Ada and Mr. Greg Calvo probably have the most intimate knowledge of the discussions and decisions; however, I do know that consumers had a very big say in who was selected. The Advisory Committee may have met the applicants within an interview environment .

Ginger S. Porter, M.Ed.

NON-DISCRIMINATION NOTICE

Discrimination on the basis of sex, race, age, color, religion or disability is prohibited.

CONFIDENTIALITY

Personal information is needed in order for your Social Worker to determine your eligibility. Such information is considered *Confidential*. Information may be released to persons authorized by you, a parent/guardian, or other appropriate representative. Information may also be released without written consent for audit, program evaluation and research only for purposes connected with the administration of the Division of Support Services for Individuals with Disabilities.

If you are an individual with a disability, a person caring for an individual with disability, or a concerned friend and you feel that these services may be able to help or if you would like more information on these and other programs available, please contact the Division of Support Services at:

238 Archbishop F.C. Flores St.
Ste. 703 Pacific News Bldg.
Hagatna, GU 96910
Phone: (671)475-4624
Fax: (671)477-2892
TDD: (671)477-9183

WE ARE HERE TO HELP!!!